

INDEX #: 06 CV 13358

Date Filed: November 20, 2006

DISTRICT: SOUTHERN DISTRICT OF NEW YORK**UNITED STATES DISTRICT COURT****COUNTY OF**

Attorneys: NESENOFF & MILTENBERG, LLP PH: 212-736-4500

Address: 363 SEVENTH AVE, 5TH FLR NEW YORK NY 10001 File No.:

GREAT WHITE BEAR LLC

vs

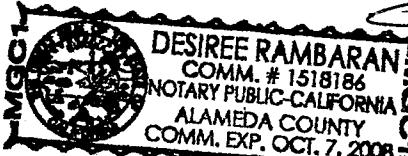
MERVYN'S, LLC

Plaintiff(s)/Petitioner(s)

Defendant(s)/Respondent(s)

STATE OF CALIFORNIA, COUNTY OF ALAMEDA SS.: **AFFIDAVIT OF SERVICE**WILLIAM C WAKEMAN JR, being duly sworn deposes and says:Deponent is not a party herein, is over 18 years of age. On 12-7-2006 at 11:59 AM,at 223301 FOOTHILL RD., HAYWARD, CA 94541, deponent served the within

SUMMONS, COMPLAINT, JURY DEMAND, CIVIL COVER SHEET, RULE 7.1 STATEMENT, INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE MAAS & INDIVIDUAL PRACTICES OF HON. RICHARD M. BERMAN & AMENDED COMPLAINT

on: _____ **MERVYN'S, LLC**, **Defendant** therein named.#1 INDIVIDUAL By delivering a true copy of each to said recipient personally; deponent knew the person served to be the person described as said person therein.#2 CORPORATION By delivering thereat a true copy of each to BOBBI KNOWLTON and that deponent knew the person so served to be the RECEPTIONIST/AUTHORIZED TO ACCEPT SERVICE of the corporation, and authorized to accept service on behalf of the corporation.#3 SUITABLE AGE PERSON By delivering a true copy of each to _____ a person of suitable age and discretion. Said premises is recipient's [] actual place of business [] dwelling house (usual place of abode) within the state.#4 AFFIXING TO DOOR By affixing a true copy of each to the door of said premises, which is recipient's: [] actual place of business [] dwelling house (place of abode) within the state.Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, having called thereat on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____
on the _____ day of _____ at _____#5 MAIL COPY On _____, deponent completed service under the last two sections by depositing a copy of the _____ to the above address in a 1st Class postpaid properly addressed envelope marked "Personal and Confidential" in an official depository under the exclusive care and custody of the United States Post Office in the State of _____ and by Certified Mail # _____.#6 NON-SRVC After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served because of the following: [] Unknown at Address [] Evading [] Moved left no forwarding [] Address does not exist [] Other: _____#7 DESCRIPTION A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
(use with #1, 2 or 3) Sex: Female Color of skin White Color of hair black Age: 42 Height: 5'11
Weight: 240 Other Features: _____#8 WIT. FEES the authorized witness fee and / or traveling expenses were paid (tendered) to the recipient.#9 MILITARYSRVC Deponent asked person spoken to whether the recipient was presently in military service of the United States Government or of the State of _____ and was informed that recipient was not. Recipient wore ordinary civilian clothes and no military uniform.#10 OTHER _____Sworn to before me on 12-11-06Desiree Rambaran

Please Print Name Below Signature

WILLIAM C WAKEMAN JR.

Invoice_Work Order # 06031437

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